STATEMENT REGARDING GOVERNMENT BUSINESS

THE MINISTER OF STATE IN THE MINISTRY OF LAW JUSTICE AND COMPANY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI O. RAJAGOPAL): Sir, the business during the week commencing 2nd May, 2000 will consist of :

1. Discussion on the working of the Ministry of Health and Family Welfare.
2. Consideration and return of the Appropriation Railways (No. 2) Bill, as passed by Lok Sabha.
3. Discussion on the working of the Ministry of Defence.

GOVERNMENT BILL
THE TRADE UNIONS (AMENDMENT) BILL, 2000

श्री मंत्री (डा0 सत्य नारायण जटिया) : महोदय मुझे व्यवसाय संघ अधिनिमय, 1926 तथा और संशोधन करने वाले विधेयक को पुर:स्थापित करने की अनुमति दी जाए

The question was proposed.

SHRI JIBON ROY (West Bengal): Sir, I want to make a submission. *(Interruptions).*

MR. CHAIRMAN: Now Special Mentions. *(Interruptions).*

SHRI JIBON ROY: Sir, I want to make a submission.

MR. CHAIRMAN: What do you want to say?

SHRI JIBON ROY: Sir, my submission is this. Basically, this Bill goes against the fundamental rights of the workers. The Constitution has given a guarantee that the workers can come together and form an association. There should not be any stipulation that 100 persons or 200 persons should be the minimum number required for forming an association. Probably the trade unions would reconcile with the position taken by the Government in this Bill. In the Statement of Objects and Reasons the Minister has stated that the Bill was piloted after discussions with the trade unions. But the fact is that they have not accepted the recommendations of the Ramanujam Commission. In that report it is said,

"Ten per cent or 100 persons." So far as registration is concerned, seven per cent is sufficient. He is a trade union leader. He can understand that mobilizing 100 people at the time of registration is just impossible. Even mobilization of seven per cent people is difficult. It is just impossible to mobilize 100 persons before the Registrar. It goes against the right of the workers. Therefore, let this Bill be again referred to the Standing Committee. This Bill was referred to the Standing Committee earlier also. This Bill was earlier introduced in the House in 1993. This is a new Bill. Let it be referred to the Standing Committee. The Standing Committee will have an opportunity to call the other trade unions and make some compromise. If any compromise is needed, the trade unions will agree. I have talked to them. Then you can bring this Bill for the consideration of the House.

SHRI PRANAB MUKHERJEE (West Bengal): I would like to make a small submission. I am not questioning his legislative competence. The Minister is perfectly within his right to bring this Bill for the consideration of the House. The Bill has been introduced. I would like to make a small request to the Government and to the hon. Minister. This Bill was referred to the Standing Committee. I am not strongly advocating that you again refer it to the Standing Committee for its scrutiny. That is your jurisdiction. What the Minister can do is this. There is one particular aspect on which the trade union leaders are sharply divided. The Bill has been introduced. Before the Minister places this Bill for the consideration of the House, if the Minister can have another round of discussion with the trade union leaders and try to remove their doubts and suspicion by his own initiative — there is a good rapport between the Labour Minister and the trade union leaders -I am confident that he would be able to find a solution because this Bill is mainly based on the recommendations of the Ramanujam Commission. A substantial part has already been agreed. But there are one or two points on which you can have a discussion with them and try to resolve this issue. Thereafter, if you find it necessary to bring an amendment, you can move that amendment. We will be glad to help you. This is my submission to the Minister.

डा0 सत्य नाराण जटिया : माननीय सभापति जी, यह बिल बहुत लम्बे समय से चर्चा के बाद और सभी संगठनों, जो हमारा श्रम सम्मलेन हुआ उनसे बात करने और सारे पुराने निष्कर्षों के आधार पर इसको लाने का काम किया गया है । क्योंकि हमारे यहां ट्रेड यूनियन मूवमेंट अपनी प्राथमिक अवस्था में नहीं है,वह मेच्योर हो चुका है और लम्बे समय से

ट्रेउ यूनिजनिज्म हम कर रहे हैं इसलिए मल्टीपलसिटी आफ यूनियन की बाकी बातों को करने के लिए और लीडरशिप डेवलप करने के लिए इसमें प्रावधान किए गए हैं । इसमें माननीय प्रणव मुखर्जी ने जो कहा है उस पर हमने सलाह मशविरा कर लिया है और अगर कहीं पर भी किसी कोयह लगता है कि इस पर चर्चा आवश्यह है तो मैं इस पर चर्चा करने के लिए तैयार हूं । यदि आवश्यक हुआ और यह समझा गया है कि इसमें संशोधन करना जरूरी है तो इस के बारे में विचार करने में हमें कोई कठिनाई नहीं है । ...(**व्यवधान**)...

SHRI DIPANKAR MUKHERJEE (West Bengal): I have one point...

MR. CHAIRMAN: Let him complete.

SHRI DIPANKAR MUKHERJEE: He has completed ...*(Interruptions)* Sir, there are so many Acts. The Payment of Wages Act is there. The Payment of Bonus Act is there. I have to ask from the Minister: Why is it that no amendment is being made in the Payment of Wages Act? *(Interruptions)* Why is it that no amendments are brought about in the Payment of Bonus Act? *(Interruptions)* When he is not bringing any amendments to these Acts, what is the hurry in bringing this Bill right now? *(Interruptions)* Let him discuss with the trade unions...*(Interruptions)* Let him take it to the Standing Committee. What is the hurry? *(Interruptions)*

SHRI JIBON ROY: The Ramanujam Committee was constituted by the Government...*(Interruptions)*

SHRI DIPANKAR MUKHERJEE: When there are problems with trade unions, then, the Minister comes with amendments...*(Interruptions)*

MR. CHAIRMAN : अभी लिया नहीं, इन्ट्रोड्यूज करेंगे ...(**व्यवधान**)... The Minister is responding ...(Interruptions)...

SHRI DIPANKAR MUKHERJEE : Where are the amendments to these Acts? (Interruptions) वेतन नहीं मिलता, बोनस नहीं मिलता तब कोई प्राबलम नहीं है लेकिन अगर ट्रेड यूनियन आ गई तो यह प्राबलम है । (Interruptions)

SHRI JIBON ROY: Let it go to the Standing Committee ...*(Interruptions)* Either you call a meeting with the trade union leaders, or, let the Bill go back to the Standing Committee.

डा. सत्य नारायण जटिया : माननीय सभापति महोदय, जैसाकि हमारे मित्रों का आग्रह है मैं कहना चाहता हूं कि अगर आपको किसी भी प्रकार की कोई चिंता है, क्योंकि जो श्रम आंदोलन है, ट्रेड यूनियन हैं उनके साथ मैं हमेशा बात करने के लिए तत्पर हूं, तैयार हूं। वह जब चाहे बात कर सकते हैं। आगे किस कानून में तरमीम करना चाहिए, संशोधन करना चाहिए ये सारी बातें चली हुई हैं। अगर वे कोई जानकारी लेना चाहते हैं तो हाउस के बाद जहां वे चाहे हम उनसे बात करने के लिए तैयार हैं और वे जो भी सुझाव देंगे मैं उन्हें समझने के लिए तैयार हूं। मैं विश्वास दिलाता हूं कि अगर उसमें कुछ जोड़ना जरूरी हुआ तो उससे भी इंकार नहीं करेंगे। मेरा इंटरेक्शन लगातार सेंट्रल ट्रेड यूनियनों से है और प्रायः हर महीने इंटरेक्शन उनसे होता है। अभी हमने आई0 एल0 सी0 के अंदर भी बहुत व्यापक रूप से विचार किया है। ...(**व्यवधान**)...

महोदय मैं प्रस्ताव करता हूं कि व्यवसाय संघ अधिनियम, 1926 का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN:Now, the question is:-

"That leave be granted to introduce a Bill further to amend the Trade Unions Act, 1926."

The motion was adopted.

डा0 सत्य नारायण जटिया : महोदय, मैं विधेयक को पुरःस्थापित करता हूं।

SPECIAL MENTIONS
Callous attitude of IAS Officers towards a Member of Parliament

प्रो0 रामगोपाल यादव (उत्तर प्रदेश) : श्रीमन्, मैं बहुत दुखी मन से एक ऐसे मसले को उठा रहा हूं जिससे होकर आए दिन संसद सदस्यों और जनप्रतिनिधियों को गुजरना पड़ता है और राज्य सभा में इसलिए उठा रहा हूं क्योंकि यही एक मात्र ऐसा सदन है जिसे अखिल भारतीय सेवाओं को सृजन करने की शक्ति प्राप्त है जो दूसरे सदन को भी प्राप्त नहीं है। अखिल भारतीय सेवाएं खासतौर से इंडियन एडमिनिस्ट्रेटिव सर्विस या जो आई0 ए0 एस0 संवर्ग है इस देश का, कुछ अफसर बहुत अच्छे हैं लेकिन दुर्भाग्य से स्थिति इतनी खराब होती जा रही है कि अगर कोई जनप्रतिनिधि, कोई संसद् सदस्य किसी बड़े आई0 ए0 एस0 अधिकारी से सुबह 9 बजे टेलीफोन पर बात करना चाहे तो 90 फीसदी केसेज़ में आपको यह जवाब मिलेगा कि या तो अधिकारी सो रहा है या बाथरूम में हैया पूजा कर रहा है। अगर